



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT AND
CORRESPONDENCE ADDRESS**

Application Number	10/018,529
Filing Date	371(c) Date: June 3, 2002 Int'l Filing Date: July 7, 2000
First Named Inventor	Maria S. Gawryl
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	1161.1027-072

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I/We hereby appoint

☒ the attorneys/agents associated with Customer No. 021005

☐ Practitioner(s) named below:

JUL 29 2002

TECH CENTER 1600/2900

as my/our attorneys/agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

☒ Customer Number 021005

Hamilton, Brook, Smith & Reynolds, P.C.

530 Virginia Road

P.O. Box 9133

Concord, Massachusetts 01742-9133

☐ Other

Please direct all telephone calls and facsimiles to:

Name N. Scott Pierce, Esq. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

☐ Applicant/Inventor.

☒ Authorized representative of the Assignee of the entire interest. See 37 C.F.R. 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

☐ Authorized representative of an assignee together with ☐ of the entire interest. A separate Statement under 37 C.F.R. § 3.73(b) is enclosed.

SIGNATURE of Applicant or Assignee of Record

Name Maria S. Gawryl

Signature

Date 13 Jun 02

☒ Total of [1] forms are submitted.



STATEMENT UNDER 37 C.F.R. § 3.73(b)

ocket NO. 1101.1027-072

Applicants: Maria S. Gawryl, Robert A. Houtchens and William R. Light

Application No.: 10/018,529 Filed: 371(c) Date: June 3, 2002

Int'l Filing Date: July 7, 2000

For: PRESERVING A HEMOGLOBIN BLOOD SUBSTITUTE WITH A TRANSPARENT OVERWRAP

Biopure Corporation

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☐ an assignee together with ☐ of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: _____

Name: Maria S. Gawryl

Title: Vice President

Signature: 13 Jun 02

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ASSIGNMENT**COPY**Joint

WHEREAS, we, **Maria S. Gawryl, Robert A. Houtchens and William R. Light**, have invented a certain improvement in **Preserving a Hemoglobin Blood Substitute with a Transparent Overwrap**, described in an application for Letters Patent of the United States, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ is United States Application Number 10/018,529 and is the United States National Stage application of International Application Number PCT/US00/18750, which was filed on July 7, 2000 and which designates the U.S.;
- ☐ was patented under U.S. Patent No. ☐ on ☐.

WHEREAS, **Biopure Corporation** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **11 Hurley Street, Cambridge, Massachusetts 02141** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving

of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____

Maria S. Gawryl

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Maria S. Gawryl** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 13th day of June, 2002.

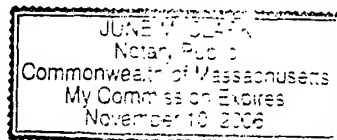
(SEAL)

Jane M. Clark
Jane M. Clark

Notary Public

(print name)

My Commission expires 11 / 10 / 2006



Inventor's Signature: _____

Robert A. Houtchens

Robert A. Houtchens

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **Robert A. Houtchens** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 13th day of June, 2002.

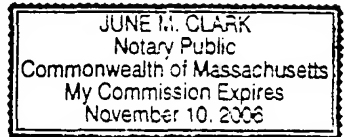
(SEAL)

June M. Clark
June M. Clark

Notary Public

(print name)

My Commission expires 11 / 10 / 06



Inventor's Signature: _____

William R. Light

William R. Light

State/Commonwealth

of Massachusetts

County of Middlesex

Then personally appeared before me the above-named **William R. Light** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this 13th day of June, 2002.

(SEAL)

June M. Clark
June M. Clark

Notary Public

(print name)

My Commission expires 11 / 10 / 06